

1 DAVID L. PERMUT (*pro hac vice*)  
2 *dpermut@goodwinprocter.com*  
3 **GOODWIN PROCTER LLP**  
4 901 New York Avenue, N.W.  
Washington, DC 20001-4432  
Tel.: 202.346.4000  
Fax: 202.346.4444

5 MATTHEW G. LINDENBAUM  
6 (*pro hac vice*)  
7 *mlindenbaum@goodwinprocter.com*  
8 **GOODWIN PROCTER LLP**  
Exchange Place  
Boston, Massachusetts 02109  
Tel.: 617.570.1000  
Fax: 617-523-1231

9 ALISON M. NORRIS (SBN 248711)  
10 *anorris@goodwinprocter.com*  
11 **GOODWIN PROCTER LLP**  
12 601 South Figueroa Street, 41st Fl.  
Los Angeles, California 90017  
Tel.: 213.426.2556  
Fax: 213.623.1673

13 *Attorneys for Defendants*  
14 Bank of America, N.A., successor by  
15 merger to BAC Home Loans Servicing,  
LP

16 **UNITED STATES DISTRICT COURT**  
17 **CENTRAL DISTRICT OF CALIFORNIA**  
18 **SOUTHERN DIVISION**  
19

20 KENT FARMER, as an individual and  
as a representative of the classes,

21 Plaintiff,

22 v.

23 BANK OF AMERICA, N.A., and BAC  
24 HOME LOANS SERVICING, L.P.

25 Defendants.

Case No. 11-CV-00739-CJC (RNBx)

**DEFENDANT'S REQUEST FOR  
JUDICIAL NOTICE**

Date: November 7, 2011

Time: 1:30 p.m.

Courtroom: 9B

Judge: Hon. Cormac J. Carney

1 Pursuant to Federal Rule of Evidence 201, Defendant Bank of America, N.A.,  
2 successor by merger to BAC Home Loans Servicing, LP, respectfully requests that  
3 this Court take judicial notice of the following matter of public record:

4 1. Attached hereto as Exhibit 1 is a true and correct copy of BAC Home  
5 Loans Servicing, LP's business organization record from the office of the Texas  
6 Secretary of State, retrieved on September 28, 2011.

7 This Court may properly take judicial notice of matters of public record. *See,*  
8 *e.g., Ceballos v. GMAC Mortg., LLC*, 2010 WL 3035756, at \*1 n.1 (C.D. Cal. Aug. 2,  
9 2010).

10 Dated: September 30, 2011

Respectfully submitted,

11 /s/ Matthew G. Lindenbaum  
12 MATTHEW G. LINDENBAUM  
13 (*pro hac vice*)  
14 *mlindenbaum@goodwinprocter.com*  
15 **GOODWIN PROCTER LLP**  
16 Exchange Place  
Boston, Massachusetts 02109  
Tel.: 617.570.1000  
Fax: 617-523-1231

17 DAVID L. PERMUT (*pro hac vice*)  
18 *dpermut@goodwinprocter.com*  
19 **GOODWIN PROCTER LLP**  
901 New York Avenue, N.W.  
Washington, DC 20001-4432  
Tel.: 202.346.4000  
Fax: 202.346.4444

20 ALISON M. NORRIS  
21 *anorris@goodwinprocter.com*  
22 **GOODWIN PROCTER LLP**  
601 South Figueroa Street, 41st Fl.  
Los Angeles, California 90017  
Tel.: 213.426.2556  
Fax: 213.623.1673

23 *Attorneys for Defendant*  
24 Bank of America, N.A., successor by  
25 merger to BAC Home Loans Servicing,  
26 LP  
27  
28

**PROOF OF SERVICE**

I am employed in Washington, D.C. I am over the age of 18 and not a party to the within action. My business address is 901 New York Avenue, NW, Washington, D.C., 20001.

On **September 30, 2011**, I served on the interested parties in said action the within:

**DEFENDANT'S REQUEST FOR JUDICIAL NOTICE**

**E. Michelle Drake**  
**Rebekah L. Bailey**

*drake@nka.com*  
*bailey@nka.com*

**NICHOLS KASTER, LLP**

4600 IDS Center  
80 South Eighth Street  
Minneapolis, MN 55402  
Tel.: (612) 256-3200  
Fax: (612) 215-6870

Counsel for Plaintiff:  
*Kent Farmer, as an individual and as a  
representative of the classes*

**Matthew C. Helland**

*Helland@nka.com*

**NICHOLS KASTER, LLP**

One Embarcadero Center, Suite 720  
San Francisco, CA 94111  
Tel.: (415) 277-7235  
Fax: (415) 277-7238

**Eric W. Cheung**

*echeung@ecjlaw.com*

**ERVIN COHEN AND JESSUP LLP**

9401 Wilshire Boulevard 9th Floor  
Beverly Hills, CA 90212  
310 273 6333  
310 859 2325 (fax)

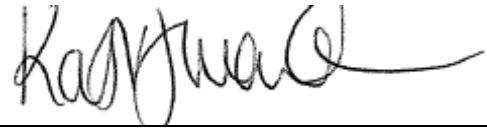
☒ (CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the office(s) of the addressee(s) listed above by electronic mail at the e-mail address(es) set forth above pursuant to Fed.R.Civ.P.5(d)(1). "A Notice of Electronic Filing (NEF) is generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof of service as required by Fed.R.Civ.P.5(d)(1). A copy of the NEF shall be attached to any document served in the traditional manner upon any party appearing pro se."

I declare under penalty of perjury that I am employed in the office of a member

1 of the bar of this Court at whose direction this service was made and that the  
2 foregoing is true and correct.

3 Executed on September 30, 2011, at Washington, D.C.

4  
5  
6 Katharine J. Westfall  
7 (Type or print name)



8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
(Signature)